

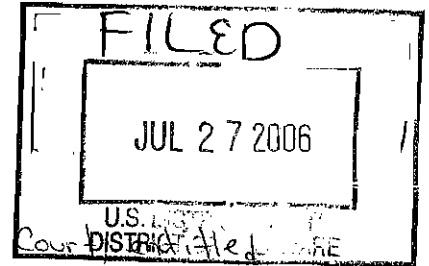
SLCC
23207 Dupont Blvd
Georgetown, DE 19947

U.S. District Court
District of Delaware
J. Caleb Boggs Federal Bldg.
Box 18
844 N. King St.
Wilmington, DE 19801

05-578 (JJF)

July 21, 2006

Re: David Safford v. State of Delaware
Superior Court Case No. 0410014004



Judge Farnam,

I filed a petition for Habeas Corpus in your "Certiori and motion to Dismiss" Sometime around June, 2005, because I was being wrongfully and maliciously prosecuted under Superior Court Case number 0410014004. The State Answered, and indicated the charges had been dropped, making the petition moot. In my Reply I informed you that, although the case had indeed been dismissed, prosecution had continued under a different Superior Court case number (unavailable). I argued that although the number was different, it was a prosecution of the same October 16, 2004 arrest, and hence, the same case. You issued an order indicating your agreement, and allowed the petition to stand.

Continued prosecution under any Case number is in violation of Double Jeopardy laws, since the State has already dismissed the case under which the petition was originally entered, and prosecution should have terminated. Unfortunately, this has not occurred, and on July 13, 2006, I was again arrested because my probation violated.


I am currently being held in lieu of bail for a hearing of this violation, and I cannot access records of the petition so that I can prove the error which has occurred. In fact, I was not even allowed to participate in my own bail hearing. I require copies of the original petition, my reply to the State, all correspondence from the State, and any orders that were issued.

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I am asking for your help because I should not be punished for a mistake the State made in it's rash prosecution. the plea which was entered does not justify the States actions, because of the rights which were violated, and the circumstances which were required to obtain that plea. I should not be on probation in the first place! I took the plea offer because I knew another trial would be the same as the first one because the prosecution was manipulating circumstances in order to obtain a guilty verdict instead of finding the truth. Perhaps in addition to providing me with copies, you might issue an order which would provide some temporary relief from any punishment in connection with this, or any case related to Superior Court case #0410014004, or the October 16, 2004 arrest. I should not have to answer for a crime I did not commit.

Thank-you!



David C. Safford #

SB1 #252614

POD #2

SCCC

23207 Dupont Blvd.

Georgetown, DE 19947

David C. Safford II
SBI # 252614 POD 2

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